

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INDYMAC BANK, F.S.B.,	:	Case No.: 07 cv 6865 (LTS)
	:	
Plaintiff,	:	
	:	
– against –	:	
	:	
NATIONAL SETTLEMENT AGENCY, INC.;	:	DECLARATION OF DAVID J.
STEVEN M. LEFF; RACHEL M. LEFF;	:	GALALIS IN FURTHER SUPPORT
RICHARD A. LEFF; JOHN DOES 1–100,	:	OF ORDER OF ATTACHMENT
	:	AGAINST STEVEN M. LEFF AND
	:	NATIONAL SETTLEMENT
	:	AGENCY
Defendants.	:	
	:	

David J. Galalis, pursuant to 28 U.S.C. § 1746, declares and states under penalty of perjury as follows:

1. I am an associate with Feldman Weinstein & Smith LLP, attorneys to plaintiff IndyMac Bank, F.S.B. (“IndyMac”). I submit this declaration in further support of IndyMac’s motion by order to show cause for an order of attachment, preliminary injunction, and order allowing expedited discovery against Steven M. Leff and National Settlement Agency, Inc.
2. After the hearing held before the Honorable Kimba M. Wood on August 7, 2007, on IndyMac’s August 6, 2007 Order to Show Cause against all defendants, criminal counsel to Steven M. Leff (Larry H. Krantz, Krantz & Berman LLP, 747 Third Avenue, 32nd Floor, New York, NY 10017) stated to me that he would make his client available at his offices tomorrow, August 8, 2007, at 11:30am, so that IndyMac could serve him personally with the Summons and Complaint and Order to Show Cause/Temporary Restraining Order dated August 6, 2007.

3. It is IndyMac's belief that Steven M. Leff is also the President or other officer or agent of National Settlement Agency, Inc. IndyMac therefore also intends to serve National Settlement Agency through Steven M. Leff on August 8, 2007 at 11:30am with the Summons and Complaint and Order to Show Cause/Temporary Restraining Order dated August 6, 2007.

4. IndyMac therefore respectfully requests that this court "so order" the accompanying Order to Show Cause setting a new hearing date on IndyMac's application for an order of attachment against Steven M. Leff and National Settlement Agency, Inc.

5. IndyMac is currently forbearing its request for an attachment against Rachel M. Leff and Richard A. Leff, subject to further application at a later date.

Dated: New York, New York
August 7, 2007

FELDMAN WEINSTEIN & SMITH LLP
Attorneys for IndyMac Bank, F.S.B.

By:

Eric Weinstein (EW 5423)
David J. Galalis (DG 1654)
420 Lexington Avenue, Ste. 2620
New York, NY 10170
(212) 869-7000